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Wynn Las Vegas, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN CARTER, MICHAEL SACCO, and)
BLAKE RECK, individually and on behalf of all)
others similarly situated,)

Plaintiffs,)

vs.)

WYNN LAS VEGAS, LLC, a Nevada domestic)
limited-liability company,)
EMPLOYEE(S)/AGENT(S) DOES 1-10; and)
ROE CORPORATIONS 11-20, inclusive;)

Defendant.)

Case No. 2:16-cv-02697-APG-DJA

**STIPULATION AND REQUEST TO
CONTINUE CONSOLIDATED
HEARING ON PENDING MOTIONS**

(First Request)

The parties, by and through their respective counsel of record, stipulate and request that the Court vacate the consolidated motion hearing currently set for December 30, 2019 and continue said hearing to January 15, 2020 at 2:00 p.m. In support of this Stipulation and Request, the parties state as follows:

1. On December 19, 2019, the Court set a consolidated hearing on pending motions regarding tip pooling for three cases, 2:13-cv-0580 (*Norsoph v. Riverside Resort and Casino, Inc.*), 2:16-cv-2697 (*Carter v. Wynn Las Vegas, LLC*), and 2:19-cv-0644 (*Jaffee v. Wynn Las Vegas, LLC*), for December 30, 2019.

2. Counsel for Defendant in *Norsoph v. Riverside Resort and Casino, Inc.* is attending an Early Neutral Evaluation on December 30, 2019. Counsel for Defendant in *Carter v. Wynn Las Vegas, LLC* is out of state on December 30, 2019 due to pre-planned travel. Counsel for Plaintiff in *Norsoph v. Riverside Resort and Casino, Inc.* is also away on that date.

3. In an effort to maintain the efficiency sought by the Court in consolidating the hearings, counsel for Defendant in *Carter v. Wynn Las Vegas* requested the availability of counsel for Plaintiff in *Carter v. Wynn Las Vegas* and counsel for both parties in *Jaffee v. Wynn Las Vegas, LLC*. While counsel for the other parties were available on December 30, 2019, they agreed to continue the December 30, 2019 hearing to the next available date on the Court's calendar in which all parties were available.

4. Counsel for Defendant in *Carter v. Wynn Las Vegas* contacted the Courtroom Administrator, Ms. Melissa Johansen, to determine a new date on which the Court would be available for a hearing on the parties' above-referenced motions. Ms. Johansen provided the date of January 15, 2020 at 2:00 p.m. as a proposed new hearing date.

5. This request to continue the December 30, 2019 consolidated motion hearing is not sought for any improper purpose or other reason of delay. Rather, it is sought only due to pre-existing scheduling conflicts for multiple parties' counsel.

6. This is the first request to continue the December 30, 2019 consolidated motion hearing.

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1 WHEREFORE, the parties respectfully request that the Court vacate the current hearing date
2 of December 30, 2019 and continue said hearing to January 15, 2020 at 2:00 p.m.

3 DATED this 26th day of December, 2019.

4 Respectfully Submitted,

5 /s/ Jon. R. Mower

6 Jon R. Mower, Esq. *Pro Hac Vice*

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Respectfully Submitted,

/s/ Kaitlin H. Paxton

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Attorneys for Defendant

Wynn Las Vegas, LLC

20 **IT IS SO ORDERED.**

21 December 27, 2019

22 **DATE**



UNITED STATES DISTRICT COURT JUDGE